IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

Bail Appl..No. 2126 of 2007()

CMP.2546/2007 of J.M.F.C.-II,KOTTARAKKARA

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(CRIME NO. 93/2007 OF CHADAYAMANGALAM POLICE STATION)

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PETITIONERS/ACCUSED:

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1. PRASAD,S/O BHASKARAN,
   PLAVILA VEEDU, IDAKODE MURI, CHADAYAMANGALAM
   VILLAGE, KOTTARAKKARA, KOLLAM DISTRICT.

2. RATNAKARAN, S/O.BHARGAVAN,
   KUNNUMPURATHU VEEDU, IDAKODE,
   CHADAYAMANGALAM VILLAGE, KOTARAKKARA,
   KOLLAM DISTRICT.

BY ADV. SRI.B.MOHANLAL

RESPONDENT/ COMPLAINANT:

STATE OF KERALA REPRESENTED BY THE
SUB INSPECTOR, CHADAYAMANGALAM POLICE STATION,
KOLLAM DISTRICT THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2126 OF 2007

Dated this the 12th day of April, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioners, who are accused Nos.1 and 2 in Crime No.93/07 of Chadayamangalam Police Station for offences punishable under Secs.55 (a) and 55(i) of the Abkari Act for having been found in possession of 39 bottles of beer on 23.3.07 and who were arrested on the same day, seek their enlargement on bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioners and the other circumstances of the case etc., I am inclined to grant bail to the petitioners but only with effect from a future date. Accordingly, the petitioners are directed to be released on bail with effect from 23.4.2007 on each of them executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-II, Kottarakara and subject to the following conditions:

a. The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioners shall make themselves available for interrogation as and when required by the police till the filing of the final report.

c. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

d. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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